IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4853 of 2005

Between:

Pydi Venkata Ramana, S/o.Venkata Rao,
R/o.Kopperla village, Poosapati Rega Mandal,
Vizianagaram Dist.

... PETITIONER

AND

1 The Chief commissioner of Land Administrations, A.P.Hyderabad.
2 The Joint Collector and Settlement officer, Vizianagaram,
3 The Mandal Revenue officer, Poosapati Rega, Vizianagaram District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the order of the 1st respondent in CCLA's Ref.No.P1/1422/2004, dated.10-12-2004 in not granting stay of dispossession of the petitioner from the land in S.No.52/19 of an extent of Ac.6.34 cts in Kopperla village, poosapatirega mandal, Vizianagaram District, pursuant to the order of the 2nd respondent in S.R.No. 71/2002/II(a)/F2, dated: 06-02-2004 as illegal, arbitrary and unjust and consequently grant stay of eviction of the petitioner from the above said land pending disposal of the revision petition before the 1st respondent.

Counsel for the Petitioner: MR.N.SIVA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

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The claim of the petitioner for ryotwari patta under Section 11(a) of the Estates Abolition Act, 1948 was rejected by the second respondent-Joint Collector and Settlement Officer by order dated 06-02-2004. Challenging the said order, the petitioner preferred a revision petition before the Director of Settlements at Hyderabad. However, the Director of Settlements declined to entertain the said appeal on the ground that it is time barred. Aggrieved by the said order dated 28-09-2004, the petitioner preferred a revision petition before the first respondent-Chief Commissioner. The first respondent having admitted the revision, by order dated 10-12-2004 dismissed the application for stay filed by the petitioner, which is under challenge in this writ petition.

Learned counsel for the petitioner states that the petitioner is in possession and enjoyment of the land in question and unless his possession is protected the petitioner suffers irreparably injury.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents and keeping in view that the revision is pending before the first respondent, I am of the view that it would be appropriate to protect the possession of the petitioner, till disposal of the revision petition, pending before the first respondent.

Accordingly, the writ petition is disposed of with a direction to the first respondent-Chief Commissioner to dispose of the revision petition pending on his file, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, *status quo* obtaining as on today as to the nature and possession of the land in question shall be maintained.

The writ petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 14-03-2005

LSK

ASSISTANT REGISTRAR

To

1 The Chief Commissioner of Land Administrations, A.P.Hyderabad.
2 The Joint Collector and Settlement officer, Vizianagaram,
3 The Mandal Revenue officer, Poosapati Rega, Vizianagaram District.

4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5 Two C.D. copies.